

Hon. Kandis A. Westmore
United States District Court for the Northern District of California
Oakland Courthouse
1301 Clay Street
Oakland, California 94612

FILED
MAY 18 2020 *AB*
SUSAN Y. SULLIVAN
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
OAKLAND OFFICE

Re: *United States v. One Parcel of Real Property Located at 9414 Plaza Point Drive,
Missouri City, Texas, 77459, No. 20-cv-02013-KAW (N.D. Cal.)*

Dear Judge Westmore:

I am writing to explain why the claim I filed for ownership of the defendant parcel of real property in the above captioned civil forfeiture *in rem* case was timely filed before the May 8, 2020 deadline.

Following the instructions in the Handbook for Pro Se Litigants for the United States District Court for the Northern District of California, I filed the claim on May 5, 2020, by mailing 3 copies via UPS to the Oakland Courthouse Clerk's Office, and mailing a copy for service to Plaintiff's counsel Assistant U.S. Attorney Chris Kaltsas. Because I live in Texas, I could not file the claim at the Oakland courthouse without great expense and inconvenience, and fear of exposure to the COVID-19 virus. The pro se handbook stated that I could not e-file documents until after I had appeared in the case and filed a motion with the court for permission to e-file. Thus, the only way I could file the claim was by mail.

However, due to the coronavirus pandemic, the Clerk's Office was not open every day the week of May 4. Thus, when UPS attempted to deliver the claim on Wednesday, May 6, and again on Friday, May 8, the claim could not be delivered because the Clerk's Office was closed. I have enclosed with this letter as Exhibit A a copy of UPS's tracking information for the envelope containing the claim, showing that UPS unsuccessfully attempted to deliver the envelope on May 6 and May 8, and did not successfully deliver the envelope until May 12, 2020. I have also enclosed with this letter as Exhibit B a copy of UPS's tracking information for the envelope containing the claim sent to Plaintiff's counsel, which was unsuccessfully attempted to deliver envelope on May 6 and successfully delivered on May 7, 2020.

I made sure to mail the claim to the courthouse overnight on May 5, 2020, to ensure that I would not lose my house due to any technical failure. It is not my fault that the Clerk's office was not open on May 6 or May 8 to receive and accept for filing my claim for the property. I therefore respectfully request that the Court accept my claim as having been timely filed on May 6, 2020, when UPS first attempted to deliver it to the Oakland courthouse.

Respectfully submitted,

S. Andrade 05-15-20
Solmaz Andrade

cc: Chris Kaltsas, Assistant United States Attorney

Enclosures

Exhibit A



Tracking Details

1ZW1451V1313194364

Updated: 05/16/2020 12:02 P.M. EST

Delivered



Delivered On
Tuesday
05/12/2020

Delivery Time
at 10:05 A.M.

Send Updates

Delivered To
OAKLAND, CA, US

Left At: Receiver
Received By:
Proof of Delivery

We care about the security of your package. [Log in](#) to get more details about your delivery.

Shipment Progress



- Overview
- Detailed View

	Date	Location	Activity
	05/12/2020 10:05 A.M.	OAKLAND, CA, US	DELIVERED <u>Proof of Delivery</u>

		Date	Location	Activity
✔	Out for Delivery	05/12/2020 9:42 A.M.	Oakland, CA, United States	Out For Delivery Today
		05/12/2020 5:34 A.M.	Oakland, CA, United States	Destination Scan
		05/12/2020 4:45 A.M.	Oakland, CA, United States	Destination Scan
		05/11/2020 8:53 A.M.	Oakland, CA, United States	Destination Scan
✔	Delivery Attempted	05/08/2020 2:17 P.M.	Oakland, CA, United States	The receiving business was closed at the time of the second delivery attempt. A final attempt will be made.
		05/08/2020 9:38 A.M.	Oakland, CA, United States	Out For Delivery Today
		05/08/2020 5:01 A.M.	Oakland, CA, United States	Destination Scan
		05/07/2020 9:21 A.M.	Oakland, CA, United States	Destination Scan
		05/06/2020 10:25 A.M.	Oakland, CA, United States	The receiving business was closed at the time of the first delivery attempt. A second attempt will be made.
		05/06/2020 9:32 A.M.	Oakland, CA, United States	Out For Delivery Today
		05/06/2020 7:08 A.M.	Oakland, CA, United States	Destination Scan
		05/06/2020 6:55 A.M.	Oakland, CA, United States	Arrival Scan
		05/06/2020 6:45 A.M.	Oakland, CA, United States	Departure Scan

		Date	Location	Activity
		05/06/2020 5:17 A.M.	Oakland, CA, United States	Arrival Scan
		05/06/2020 3:44 A.M.	Louisville, KY, United States	Departure Scan
		05/05/2020 9:25 P.M.	Houston, TX, United States	Arrival Scan
		05/05/2020 8:36 P.M.	Stafford, TX, United States	Departure Scan
✓	Shipped	05/05/2020 8:06 P.M.	Stafford, TX, United States	Origin Scan
✓	Label Created	05/05/2020 7:08 P.M.	United States	Order Processed: Ready for UPS

Shipment Details ^

Service

UPS Next Day Air Saver® ⓘ (https://www.ups.com/content/us/en/shipping/time/service/next_day_saver.html)

Weight

0.20 LBS

Show More +

Track ⓘ

Help ⓘ

Track

Thank you,
UPS My Choice Premium members!

Not a Premium Member?
Upgrade your delivery experience
\$5 Off with code C1PG6FYS6

UPS MyChoice® Premium
FIND OUT MORE

(https://wwwapps.ups.com/ppc/ppc.html/preferencePage/mychoicePreference/membership?loc=en_US)

2020-05-16, 11:07 a.m.

Exhibit B



Tracking Details

1ZW1451V1379863320

Updated: 05/16/2020 12:11 P.M. EST

Delivered



Delivered On
Thursday
05/07/2020

Delivery Time
at 10:24 A.M.



Send Updates

Delivered To
SAN FRANCISCO, CA, US

Left At: Front Desk
Received By:
[Proof of Delivery](#)

We care about the security of your package. [Log in](#) () to get more details about your delivery.

Shipment Progress				
Overview		Detailed View		
		Date	Location	Activity
	Delivered	05/07/2020 10:24 A.M.	SAN FRANCISCO, CA, US	DELIVERED Proof of Delivery

		Date	Location	Activity
	Out for Delivery	05/07/2020 8:35 A.M.	San Francisco, CA, United States	Out For Delivery Today
		05/07/2020 5:49 A.M.	San Francisco, CA, United States	Loaded on Delivery Vehicle
		05/07/2020 5:03 A.M.	San Francisco, CA, United States	Destination Scan
		05/06/2020 9:29 P.M.	San Francisco, CA, United States	Destination Scan
	Delivery Attempted	05/06/2020 3:10 P.M.	San Francisco, CA, United States	The receiving business was closed at the time of the first delivery attempt. A second attempt will be made.
		05/06/2020 8:45 A.M.	San Francisco, CA, United States	Out For Delivery Today
		05/06/2020 7:32 A.M.	San Francisco, CA, United States	Destination Scan
		05/06/2020 7:05 A.M.	San Francisco, CA, United States	Arrival Scan
		05/06/2020 6:05 A.M.	Oakland, CA, United States	Departure Scan
		05/06/2020 5:17 A.M.	Oakland, CA, United States	Arrival Scan
		05/06/2020 3:44 A.M.	Louisville, KY, United States	Departure Scan
		05/06/2020 1:01 A.M.	Louisville, KY, United States	Arrival Scan
		05/05/2020 10:09 P.M.	Houston, TX, United States	Departure Scan
		05/05/2020 9:25 P.M.	Houston, TX, United States	Arrival Scan
		05/05/2020 8:36 P.M.	Stafford, TX, United States	Departure Scan

		Date	Location	Activity
✓	Shipped	05/05/2020 8:06 P.M.	Stafford, TX, United States	Origin Scan
✓	Label Created	05/05/2020 7:08 P.M.	United States	Order Processed: Ready for UPS

Shipment Details ^

Service

UPS Next Day Air Saver® ⓘ (https://www.ups.com/content/us/en/shipping/time/service/next_day_saver.html)

Weight

0.20 LBS

Show More +

📦 Track

Help ⓘ

Track

Thank you,
UPS My Choice Premium
members!

Not a Premium Member?
Upgrade your delivery experience
\$5 OFF with code C1PG6FYS6

UPS My Choice Premium
FIND OUT MORE

(https://wwwapps.ups.com/ppc/ppc.html/preferencePage/mychoicePreference/membership?loc=en_US)